

CALIFORNIA STATE PERSONNEL BOARD MEETING
801 Capitol Mall
Sacramento, California

Public Session Location - Room 150
Closed Session Locati on - Room 141

FULL BOARD MEETING MINUTES

August 3, 1999

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

1. ROLL CALL

BOARD MEMBERS PRESENT:

Florence Bos, President
Richard Carpenter, Member
William Elkins, Member

2. REPORT OF THE EXECUTIVE OFFICER - Walter Vaughn

The Board was advised of the following:

- A. Discussions have occurred with the new California Children and Families First Commission to assist the commission in hiring staff within the civil service system.
- B. In vetoing SB 44 Polanco, Governor Davis indicated he would establish a task force on outreach. Staff will be contacting the Governor's office for further information about the task force and to offer our assistance and participation on the task force.

3. REPORT OF THE CHIEF COUNSEL - Elise Rose

The Chief Counsel reported on:

Litigation:

- A. Connerly v. State Personnel Board - The Department of General Services (DGS) has informed the appellate court in writing that it will not be submitting a Respondent's Brief, nor a response to the cross-appeal filed by the Real Parties in Interest, but that it will comply with statutory requirements as determined by the court's decision. DGS did cite the court to Barlow v. Davis (1999) relative to the issues raised by cross-appellants opening brief regarding Public Contract Code Section 10115.5, however. Appellant Connerly has requested and received a 30-day extension of time in which to file its Reply Brief until September 13, 1999.
- B. State Personnel Board (SPB) v. Department of Personnel Administration (DPA) - The parties have filed a stipulation extending time to file appellant's opening brief filed with the court until October 12, 1999, given that the Association of Administrative Law Judges v. DPA case is under submission and may give us a ruling on the merits on the same issue raised in the SPB v. DPA case.
- C. Kidd/Swiden v. State Personnel Board and Department of Fish and Game - Settlement conference scheduled for August 12, 1999.

Other:

- A. State Employee Mediation Program (SEMP) - Seminar on the program to be offered September 23, 1999 for interested departments and employee representatives. Another basic training for SEMP volunteer mediators is tentatively scheduled for November 1-4, 1999.
- B. The Department of Personnel Administration (DPA) announced that Howard Schwartz has been appointed the new Chief Counsel of DPA. Mr. Schwartz is scheduled to begin work August 16, 1999.

4. REPORT ON LEGISLATION - Judy Balmain

The Board was advised of the following:

- A. Met with Human Resource Ad Hoc Committee to discuss proposed legislation for the year 2000.
- B. Legislature will return from summer break August 16, 1999.

5. ORAL ARGUMENT

Oral argument in the matter of Edward J. Randle, Case No. 98-0993. Appeal from 60 working days suspension. Department of Transportation.

Persons Participating:

Stephen Booth, Director, Unit 12 Division, International Union of Operating Engineers, representing appellant
Kathleen Calder, Caltrans Attorney, representing Department

ACTION: Submitted

6. ORAL ARGUMENT

Oral argument in the matter of Ralph Rey, Case No. 98-2752. Appeal from dismissal. Department of Mental Health

Persons Participating:

Michael Hersh, Attorney, California State Employees Association (CSEA), representing appellant
Michael Johnson, Staff Services Manager II, representing Department of Mental Health

ACTION: Submitted

7. ORAL ARGUMENT

Oral argument in the matter of Michael Jackson, Case No. 98-1818. Appeal from dismissal. Department of Youth Authority

Persons Participating:

Christine Albertine, Assistant Chief Counsel, California Correctional Peace Officers Association (CCPOA)

Karen J. Kilpatrick, Hearing Specialist, Legal Office,
Department of the Youth Authority, representing Department

ACTION: Submitted

8. ORAL ARGUMENT

Oral argument in the matter of Michael Carl, Case No.
98-4549. Appeal from 4 days suspension. Department of
Corrections

Persons Participating:

Rebecca J. Beal, Labor Relations Representative, California
State Employees Association (CSEA), representing appellant
Rick Halberg, Correctional Lieutenant, Employee Relations
Officer, Department of Corrections, representing Department

ACTION: Submitted

9. ORAL ARGUMENT

Oral argument in the matter of Zelma Joyce Milas, Case No. 98-
3744. Appeal from automatic resignation. Employment
Development Department.

Persons Participating:

Zelma Joyce Milas, appellant to represent herself, but did not
show
Eric J. Hendrickson, Staff Counsel, Employment Development
Department, representing Department

ACTION: Submitted

BOARD ACTIONS

10. STATE PERSONNEL BOARD SUMMARY MINUTES OF JULY 20, 1999

ACTION: Adopted on August 3, 1999
VOTE: Bos, Carpenter, Elkins - Aye.

11. ACTION ON SUBMITTED ITEMS

ACTION: See page 17.

12. ADMINISTRATIVE LAW JUDGE CASES

On August 3, 1999, the Board adopted the following decisions presented by Elise Rose, Chief Counsel, California State Personnel Board

VOTE: Bos, Carpenter, Elkins - Aye.

CHIEF COUNSEL RESOLUTIONS

PETER HOLMES, CASE NO. 97-1621

Appeal from dismissal

California State University at Northridge

ACTION: Request for order to show cause denied

EMMA JEFFRIES, CASE NO. 98-1063

Complaint of retaliation and discrimination

Department of Corrections

ACTION: Request for order to show cause denied

MICHELLE LIM, CASE NO. 97-1177

Appeal from rejection during probationary period

Coastal Conservancy

ACTION: Request for order to show cause denied

MARY HEILMAN-ASMUS, CASE NO. 98-0246

Complaint of discrimination

California Department of Transportation

ACTION: Proposed decision rejected, case remanded to State Personnel Board Appeals Division to be placed off-calendar

ISABEL RODRIQUEZ, CASE NO. 98-4887

Appeal from dismissal

Department of Motor Vehicles

ACTION: State Personnel Board rejects stipulation for settlement, case will be reinstated to the active hearing calendar

PROPOSED DECISIONS

ELAINE MORRIS, CASE NO. 98-1973

Appeal from rejection

Department of Corrections

ACTION: Rejection affirmed and appeal denied

CARL WOEMPNER, CASE NO. 98-5059

Appeal from dismissal

Department of Parks and Recreation

ACTION: Dismissal sustained

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SERNA AMADEO, CASE NO. 99-0590
Appeal from 15 working days suspension
Department of Corrections
ACTION: Adopted Findings of Fact, but modified suspension
to 5 working days

RONALD R. ESPARZA, CASE NO. 99-0016
Appeal from 5 percent reduction in Salary for 6 months
Department of Corrections
ACTION: Reduction in salary sustained

ROMAN PLATERO, CASE NO. 98-5072
Appeal from dismissal
Department of Corrections
ACTION: Dismissal modified to 90 working days suspension

JAMES BENNETT, CASE NO. 98-2502
Appeal from dismissal
Department of Corrections
ACTION: Adopted Findings of Fact, but modified dismissal to
30-calendar days suspension

RODNEY SHANKS, CASE NO. 98-5187
Appeal from demotion
Department of Parks and Recreation
ACTION: Demotion sustained

DAVID STIDHUM, CASE NO. 98-3183
Appeal from dismissal
California State University, Los Angeles
ACTION: Dismissal sustained

KENNETH LICHTENBERG, CASE NO. 98-4743
Appeal from 30 working days suspension
California State University, Dominguez
ACTION: Suspension sustained

JEANETTE DUTTON, CASE NO. 98-2550
Appeal from dismissal
Department of Corrections
ACTION: Dismissal modified to 6 months suspension

MICHAEL SANCHEZ, CASE NO. 99-1194
Appeal from non-punitive termination
Department of Corrections
ACTION: Administrative Law Judge's proposed decision
rejected by Board. Board to decide case itself

STACY D. ROBERTSON, CASE NO. 99-1666
Appeal from rejection
Department of Corrections
ACTION: Rejection affirmed and appeal denied

VAN L. HUPPERT, CASE NO. 99-1405
Appeal from 5 working days suspension
Department of Corrections
ACTION: Suspension sustained

LAURA J. JOHNSTON, CASE NO. 99-1261
Appeal from 2-steps reduction in salary for 12 months
Department of Corrections
ACTION: Reduction in salary sustained

TERESA DESIDERIO, CASE NO. 98-2020
Complaint of discrimination
Department of Corrections
ACTION: Administrative Law Judge's proposed decision
rejected by Board. Board to decide case itself.

JURELENE SCRUGGS, CASE NO. 99-0591
Appeal from 30 days suspension
California State University, Fresno
ACTION: Administrative Law Judge's proposed decision
rejected by Board. Board to decide case itself.

CRAIG BARNARD, CASE NO. 98-3589
Appeal from 10 percent reduction in salary for 12 months
Department of Corrections
ACTION: Proposed decision rejected by Board and remanded to
Administrative Law Judge

ANDY G. INGERSOLL, CASE NO. 98-3517
Appeal from denial of reasonable accommodation,
discrimination based on disability, and constructive medical
suspension
Department of Transportation
ACTION: Administrative Law Judge's proposed decision
rejected by Board. Board to decide case itself

JANET HARRIS, CASE NO. 98-2796
Appeal from constructive medical accommodation
Department of Transportation
ACTION: Appeal denied

REGINALD CRAYTON, CASE NO. 99-1629
Appeal from 5 percent reduction in salary for six months
Department of Corrections
ACTION: Reduction in salary revoked

MONICA STERLING-CAHEE, CASE NO. 98-3354
Appeal from constructive medical termination
State Water Resources Control Board
ACTION: Appeal dismissed

RENE G. VENEGAS, CASE NO. 99-1060
Appeal from 60-calendar days suspension
Department of Corrections
ACTION: Suspension modified to 30 calendar days

THERESA E. YOUNG, CASE NO. 98-4105
Appeal from dismissal
Department of Corrections
ACTION: Dismissal sustained

BARBARA J. JONES, CASE NO. 99-0673
Appeal from 5 percent reduction in salary for 3 months
Department of Corrections
ACTION: Reduction in salary revoked

MARSHA ANN LOWE, CASE NO. 99-1102
Appeal from 45-calendar days suspension
Department of Corrections
ACTION: Suspension sustained

REGINA PACE, CASE NO. 99-0885
Appeal from 5 working days suspension
Department of Motor Vehicles
ACTION: Suspension sustained

R. JENNIE YAMAGUCHI, CASE NO. 99-0168
Appeal from 30 days suspension
Department of Health Services
ACTION: Adopted Findings of Fact, but modified suspension
to 5 working days

CYNTHIA SUAREZ, CASE NO. 98-4764
Appeal from dismissal
Department of Aging
ACTION: Dismissal sustained

MICHAEL E. VALDEZ, CASE NO. 98-4746
Appeal from 1-step reduction in salary for 12 months
Department of Corrections

ACTION: Reduction in Salary revoked
DANA T. BASS, CASE NO. 98-5189
Appeal from dismissal
Department of Health Services
ACTION: Dismissal modified to 8 months suspension

ERIC ANDERSON, CASE NO. 99-0102
Appeal from 30 working days suspension
California State University, Los Angeles
ACTION: Suspension sustained

NHUAN T. LE, CASE NO. 98-3488
Appeal from 5 percent reduction in salary for 6 months
Board of Equalization
ACTION: Reduction in salary modified to 5 percent for 3 months

BETTY J. SMITH, CASE NO. 98-0119
Appeal from dismissal
Department of Developmental Services
ACTION: Dismissal sustained

WILFREDO S. GELUZ, CASE NO. 99-1267
Appeal from official reprimand
State Compensation Insurance Fund
ACTION: Official reprimand sustained

ARTHUR MARINES, CASE NO. 98-4848
Appeal from separation of limited-term appointment for cause
California Conservation Corps
ACTION: Separation of limited-term appointment for cause sustained

ARBITRATION

BRIAN MARGOLIS, CASE 98-5195
Appeal from 5 working days suspension
Department of Rehabilitation
ACTION: Administrative Law Judge's proposed decision is rejected and the grievance is granted; pursuant to Section 15.12 of the Memorandum of Understanding entered into between the State of California and Bargaining Unit 19, the Department of Rehabilitation shall withdraw the discipline and pay to the appellant/grievant all backpay and benefits allowable under Government Code section 19584.

13. RESOLUTION RE NOTICE OF GOVERNMENT CODE SECTION 18671.1 EXTENSION. (See pages 18-21)

14. MISCELLANEOUS APPEALS DIVISION CASES
(Discrimination Complaints, Withholds, Voided Appointments,
Rule 211 Appeals, Petitions for Rehearing)
On August 3, 1999, the Board adopted the following decisions
presented by Linda Brooks, Assistant Executive Officer,
California State Personnel Board
VOTE: Bos, Carpenter, Elkins - Aye.

WITHHOLD CASES

- A. THOMAS DORSEY, Case No. 98-3949
Classification: Programmer I
ACTION: DENIED
- B. JOHN MINUGH, Case No. 98-4484
Classification: Psychiatric Technician
ACTION: DENIED
- C. SHAWN M. BREAKEY, Case No. 98-5130
Classification: Correctional Officer
ACTION: DENIED
- D. ARNESIA L. MURPHY, Case No. 98-4563
Classification: Correctional Officer
ACTION: DENIED
- E. JAIME BELTRAM, Case No. 99-0819
Classification: Hospital Peace Officer I
ACTION: DISMISSED - Appellant did not confirm
appearance for scheduled hearing.
- F. LISA BLAIR, Case No. 99-1641
Classification: Youth Counselor
ACTION: DISMISSED - No timely response to SPB request
for information.
- G. MARCOS DELOERASANTOS, Case No. 99-1650
Classification: Correctional Officer
ACTION: DISMISSED - No timely response to SPB request
for information
- H. ANTOINE PARKER, Case No. 99-1097
Classification: Correctional Officer
ACTION: DISMISSED - No timely response to SPB request
for information
- I. JEFFERY ROOTS, Case No. 99-0829
Classification: Youth Correctional Officer

ACTION: DISMISSED - No timely response to SPB request for information

J. CURTIS SMITH, Case No. 99-0991
Classification: Correctional Officer
ACTION: DISMISSED - No timely response to SPB request for information

K. DAISY D. WELLS, Case No. 99-1300
Classification: Correctional Officer
ACTION: DISMISSED - No timely response to SPB request for information

15. MEDICAL APPEALS

On August 3, 1999, the Board adopted the following decisions presented by Linda Brooks, Assistant Executive Officer, California State Personnel Board

VOTE: Bos, Carpenter, Elkins - Aye.

A. ROBERT HAGGARD, Case No. 98-4092
Classification: Stationary Engineer
ACTION: GRANTED

B. PHILLIP HALL, Case No. 99-0476
Classification: Correctional Officer
ACTION: DISMISSED - Appellant withdrew his appeal.

C. DONNA HUFF, Case No. 98-0430
Classification: Correctional Officer
ACTION: DENIED

D. RICHARD KING, Case No. 98-2388
Classification: State Park Ranger
ACTION: DENIED

E. XAVIER L. MARTINEZ, Case No. 99-0137
Classification: Youth Correctional Officer
ACTION: DISMISSED

F. LUPE P. MUSGROVE, Case No. 98-0485
Classification: Motor Vehicle Field Representative
ACTION: DENIED

G. DEBORAH RICHARDS-ROWE, Case No. 98-3449
Classification: Correctional Officer
ACTION: DENIED

H. PAIGE WIGGINS, Case No. 98-4437

Classification: Correctional Officer
ACTION: DENIED

- I. MARC ALBERT, Case No. 99-2439
Psychological Disqualification
Classification: Correctional Officer
ACTION: GRANTED
- J. FERNANDO ARROYO, Case No. 99-2436
Psychological Disqualification
Classification: Cadet, California Highway Patrol
ACTION: GRANTED
- K. ALVARO GUERRERO, Case No. 99-2459
Psychological Disqualification
Classification: Correctional Officer
ACTION: GRANTED
- L. MICHAEL KALSON, Case No. 99-2437
Psychological Disqualification
Classification: Fish and Game Warden, Cadet
ACTION: GRANTED
- M. JAMES MOONEY, Case No. 99-2769
Classification: Cadet, California Highway Patrol
Psychological Disqualification
ACTION: GRANTED
- N. KC NELSON, Case No. 99-2458
Psychological Disqualification
Classification: Correctional Officer
ACTION: GRANTED
- O. RICHARD QUIROGA, Case No. 99-2438
Psychological Disqualification
Classification: Correctional Officer
ACTION: GRANTED
- P. JOHN SOMMA, Case No. 99-2391
Psychological Disqualification
Classification: Youth Counselor
ACTION: GRANTED
- Q. ANA SOTO, Case No. 99-2629
Classification: Cadet, California Highway Patrol
Psychological Disqualification

ACTION: GRANTED

R. MARTIN TUMBAGA, Case No. 99-2768
Psychological Disqualification
Classification: Correctional Officer
ACTION: GRANTED

S. MATTHEW URQUIZU, Case No. 99-2627
Psychological Disqualification
Classification: Correctional Officer
ACTION: GRANTED

T. HELEN BIDDLE, Case No. 98-2019
Classification: Motor Vehicle Technician
ACTION: DISMISSED - Department withdrew action.

U. ROSA HUERTAS, Case No. 99-2473
Classification: Youth Correctional Officer
ACTION: DISMISSED - Appellant withdrew appeal.

V. KAREN MCLEOD, Case No. 99-2359
Classification: Youth Correctional Officer
ACTION: DISMISSED - Department withdrew action

16. MERIT ISSUE COMPLAINT

On August 3, 1999, the Board adopted the following decisions
presented by Linda Brooks, Assistant Executive Officer,
California State Personnel Board
VOTE: Bos, Carpenter, Elkins, - Aye.

A. ELENITA I. JIMENEZ, Case No. 98-4353
Classification: Disability Evaluation Analyst
ACTION: DENIED

B. RHONDA J. DONOHUE, Case No. 99-0985
Classification: Office Assistant General
ACTION: DISMISSED - Appellant withdrew her appeal
against the Department.

17. NON-HEARING CALENDAR

On August 3, 1999, the Board adopted items A-F. These items
were presented by Walter Vaughn, Executive Officer, California
State Personnel Board.
VOTE: Bos, Carpenter, Elkins - Aye.

- A. LIBRARIAN SERIES
The California State Library proposes to establish the Library Programs classification series; establish 12-month probationary periods for all classes in the series; revise and retitle classes appearing in the series specification for Librarian; reallocation of incumbents; and abolish the classes of: Law Librarian; Chief of Library Services, CEA; Information Program Specialist I-III (Various Programs); Information Program Specialist II (Information and Referral); Information Program Specialist II (Microsystems); Information Program Specialist III (Library Automation); Information Program Specialist III (Literary); and Information Program Specialist III (Community Organization).
- B. PROGRAM SPECIALIST, FRANCHISE TAX BOARD
TAX AUDITOR, FRANCHISE TAX BOARD
The Franchise Tax Board proposes revisions to the Program Specialist, Franchise Tax Board, and Tax Auditor, Franchise Tax Board, class series and revisions to Alternate Range Criteria 300.
- C. ASSOCIATE CALTRANS ADMINISTRATOR
The Department of Transportation proposes to revise the minimum qualifications for the Associate Caltrans Administrator class appearing in the Caltrans Administrator series specification.
- D. VEHICLE POLLUTION ADVISOR, AIR RESOURCES BOARD
VEHICLE PROGRAM SPECIALIST, AIR RESOURCES BOARD
The Air Resources Board is proposes to revise and retitle the Vehicle Pollution Advisor, Air Resources Board, to Vehicle Program Specialist, Air Resources Board.
- E. REGIONAL ADMINISTRATIVE OFFICER, WATER RESOURCES AGENCY
ADMINISTRATIVE OFFICER, WATER RESOURCES AGENCY
The Department of Water Resources proposes to revise and retitle the Regional Administrative Officer, Resources Agency series specification to Administrative Officer, Resources Agency.
- F. CLAIMS SPECIALIST,
VICTIMS OF CRIME PROGRAM (VOCP) SERIES
The Board of Control proposes to revise the specification for the Claims Specialist, Victims of Crime Program (VOCP) series; retitle the series to Crime Victims Resolution Officer and Crime Victims Resolution Supervisor; establish a new Range C to the Crime Victims

Resolution Officer and reallocate Senior Claims Specialist, VOCP incumbents to the new range; abolish the Senior Claims Specialist, VOCP class.

18. STAFF CALENDAR ITEMS FOR BOARD INFORMATION

Staff has approved the following:

- A. PROGRAM SUPERVISOR, DIVISION OF MEASUREMENT STANDARDS, CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
The California Department of Food and Agriculture is proposing to revise the specification for the Program Supervisor, Division of Measurement Standards classification in order to update the language. (CDFA).
- B. DAIRY FOODS SPECIALIST
The California Department of Food and Agriculture is proposing to revise alternate range criteria #184.

ACTION: Noted

19. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

- A. CEA POSITION ACTIONS CURRENTLY UNDER CONSIDERATION
 - (1) ASSISTANT DIRECTOR, INFORMATION TECHNOLOGY SERVICES
The California Energy Commission proposes to allocate the above position to the CEA position. The department indicates that this position will report to the Executive Directorate and will be responsible for all aspects of information technology, including policy development and implementation, long-term planning, database standardization, hardware and software procurement and application
 - (2) CHIEF OF PUBLIC AFFAIRS
The Contractors State License Board proposes to allocate the above position to the CEA category. The Department indicates that this position will report to the Registrar and will be responsible for all aspects of the Public Information Program

and will act as an advisor to the Registrar and the Board Members on all public relations and media related issues.

B. CEA POSITION ACTIONS APPROVED BY DPA AND APPROVED OR DENIED BY SPB MANAGEMENT

- (1) DEPUTY SUPERINTENDENT FOR CURRICULUM & INSTRUCTIONAL LEADERSHIP
DEPUTY SUPERINTENDENT FOR FINANCE, TECHNOLOGY & INFORMATION SERVICES
The Department of Education's proposed allocation of the above positions to the CEA category has been approved.
- (2) CHIEF LEGAL COUNSEL
The Department of Alcohol & Drug Programs' proposed allocation of the above position to the CEA category has been approved.
- (3) CHIEF, TAX ENGINEERING & MODERNIZATION PROJECT
The Employment Development Department's proposed allocation of the above position to the CEA category has been approved for an additional 24 months

ACTION: Noted

A D J O U R N M E N T

SUBMITTED

1. ETHEL WARREN, CASE NO. 98-2130. Appeal from dismissal.
Department of Corrections. (Oral argument held June 8, 1999.)

NO ACTION

- 2 SAMUEL SALGADO, CASE NO. 98-1290. Appeal from dismissal.
Department of Corrections. (Oral argument held June 8, 1999.)

ACTION: On August 3, 1999 adopted Board's decision modifying
dismissal to 5 percent reduction in salary for 6 months.

VOTE: Bos, Carpenter, Elkins - Aye.

3. JOSEPH P. CARLSON, CASE NO. 98-3904. Appeal from dismissal.
Department of Mental Health. (Oral argument held July 7,
1999.)

NO ACTION

NOTICE OF GOVERNMENT CODE § 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional forty-five days, the Board hereby publishes its substantial reasons for the need for the forty-five day extension for some of the cases now pending before it for decision.

An additional forty-five days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than 6 months as of the date of the Board meeting.

GOVERNMENT CODE § 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code § 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

* * * * *

I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting on August 3, 1999.

WALTER VAUGHN
Executive Officer
California State Personnel Board

VOTE: Bos, Carpenter, Elkins - Aye.